

**Caption in Compliance with D.N.J. LBR 9004-1(b)**

William L. Pegg Jr. 5528  
133 Washington Street  
Morristown, N.J. 07960  
(973) 540-0202  
Attorney for the Debtors

In Re:

Phong H. Doherty  
Elaine M Doherty

Case No.:

23-17858

Judge:

John Sherwood

Chapter:

13

**CHAPTER 13 DEBTOR'S CERTIFICATION IN OPPOSITION**

The debtor in this case opposes the following (**choose one**):

1.  Motion for Relief from the Automatic Stay filed by PNC Bank, National Association, creditor,

A hearing has been scheduled for August 22, 2024, at 10am.

- Motion to Dismiss filed by the Chapter 13 Trustee.

A hearing has been scheduled for \_\_\_\_\_, at \_\_\_\_\_.

- Certification of Default filed by \_\_\_\_\_.

I am requesting a hearing be scheduled on this matter.

2. I oppose the above matter for the following reasons (**choose one**):

- Payments have been made in the amount of \$ \$2151.91, but have not been accounted for. Documentation in support is attached.

Payments have not been made for the following reasons and debtor proposes

repayment as follows (**explain your answer**):

Debtor was not advised of the \$472.72 mtg. payment increase starting on 1/1/24.  
Debtor purposes to pay \$3244.41 (after taking credit for the payment as stated above) on or before 8/30/24.

Debtor will increase monthly payments to \$2624.31 commencing with the August 2024 payment and thereafter.

Other (**explain your answer**):

Debtor respectfully requests to be advised of the reason for the \$472.72 increase in the monthly payments due apparently to an increase in taxes or homeowners insurance.

3. This certification is being made in an effort to resolve the issues raised in the certification of default or motion.
4. I certify under penalty of perjury that the above is true.

Date: August 2, 2024

/s/ PHONG H. DOHERTY

Debtor's Signature

Date: August 2, 2024

/s/ ELAINE M. DOHERTY August

Debtor's Signature

**NOTES:**

1. Under D.N.J. LBR 4001-1(b)(1), this form must be filed with the court and served on the Chapter 13 Trustee and creditor, if applicable not later than 7 days before the date of the hearing if filed in opposition to a Motion for Relief from the Automatic Stay or Chapter 13 Trustee's Motion to Dismiss.
2. Under D.N.J. 4001-1 (b)(2), this form must be filed with the court and served on the Chapter 13 Trustee and creditor, if applicable not later than 14 days after the filing of a Certification of Default.

Share Draft

\*817

\$22,278.03

Available Balance

### Transaction Details

Type	Keyword	Date		
All	LOAN PYMT	Last 30 Days		
From	To	Amount	Amount From	Amount To
11/01/2022	8/02/2024			

[Hide advanced](#)

### In Process Transactions

Date	Description	Amount
There are no upcoming transactions.		

### Past Transactions

Date	Description	Amount
Jul 29	Withdrawal-ACH-A-PNC MAKE A PMT TELPNC MAKE A PMT (LOAN PYMT)	-\$2,151.91
Jun 06	Withdrawal-ACH-A-PNC MAKE A PMT TELPNC MAKE A PMT (LOAN PYMT)	-\$2,151.95
May 30	Withdrawal-ACH-A-PNC MAKE A PMT TELPNC MAKE A PMT (LOAN PYMT)	-\$2,151.95
Apr 29	Withdrawal-ACH-A-PNC MAKE A PMT TELPNC MAKE A PMT (LOAN PYMT)	-\$2,152.00
Mar 29	Withdrawal-ACH-A-PNC MAKE A PMT TELPNC MAKE A PMT (LOAN PYMT)	-\$2,151.91
Mar 01	Withdrawal-ACH-A-PNC MAKE A PMT TELPNC MAKE A PMT (LOAN PYMT)	-\$2,151.91
Jan 25	Withdrawal-ACH-A-PNC MAKE A PMT TELPNC MAKE A PMT (LOAN PYMT)	-\$2,151.91
Dec 20, 2023	Withdrawal-ACH-A-PNC MAKE A PMT TELPNC MAKE A PMT (LOAN PYMT)	-\$2,217.33
Nov 07, 2023	Withdrawal-ACH-A-PNC MAKE A PMT TELPNC MAKE A PMT (LOAN PYMT)	-\$4,303.82